CH 001

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH, AT BILASPUR

WP NO. 377/2003

PETITIONER

SANTOSH KUMAR SHARMA
ASSTT.GRADE 3, KRISHI UPAJ MANDI SAMITI (AGRICULTURAL PRODUCE MARKETTING COMMITTEE),
BILASPUR,
DIST. BILASPUR.

VERSUS

RESPONDENTS :

(1) CHHATTISGARH STATE
THROUGH PRICIPAL SECRETARY,
DEPARTMENT OF AGRICULTURE ,
GOVERNMENT OF CHHATTISGARH,
DKS ,MANTHRALAY BHAVAN,
RAIPUR.

(2)MANAGING DIRECTOR,
CHHATTISHGRAH STATE AGRICULTURAL MARKETING BOARD,
PURANI GANJ MANDI PREMISES,
RAIPUR.

(3)SECRETARY,
KRISHI UPAJ MANDI SAMITHI,
BILASPUR,
DIST. BILASPUR.

P. R. No. 3025/03
Presented by Shri K. Ramesh Advocate
dated 30.09.03

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(44)

आदेश पत्रक

मामला क्रमांक WP 3177/03 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15-11-2003

Shri K. R. Nair, counsel for the petitioner.

Shri Ranbir Singh, Govt. Advocate for the State/respondents.

Heard both the counsel.

The petitioner has preferred this petition under Article 226/227 of the Constitution of India. The case of the petitioner is that he is working as A.G.-III in the Marketing Krishi Upaj Mandi Samiti, Bilaspur and from where the petitioner has been sent on deputation to newly created Krishi Upaj Mandi Samiti, Jaijepur, District Janjgir-Champa vide order dated 24-6-2003 issued by the Joint Director with the approval of Managing Director, Chhattisgarh State Agricultural Marketing Board, Raipur. The petitioner has been relieved vide order dated 26-6-2003 issued by respondent No.3 with a direction to join at Krishi Upaj Mandi samiti, Jaijepur, District Janjgir Champa. The petitioner worked about 10 years from 1974 in Krishi Upaj Mandi, Bilaspur on daily wages. His services were regularized in 1983 and he was appointed as Nakedar. Later on he was promoted as Assistant Grade-III in the pay scale of Rs. 515-10-575-15-800 by order dated 9-2-85 and since then the petitioner is working as A.G.-III.

Earlier the petitioner filed the writ petition before this Court which was registered as W.P. No. 1962/2003 and in that petition vide order dated 11-8-2003 the petitioner was allowed to make a representation before the Competent Authority and Competent Authority was directed to decide his representation and accordingly the representation of the petitioner has

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

been decided by the Managing Director vide order dated 24-9-2003. Now, the main grievance of the learned counsel for the petitioner is that the deputation allowance has not been fixed and the period of deputation has also not been fixed.

Learned counsel for the respondents submits that as far as the deputation allowance is concerned, orders have already been passed. The petitioner will be entitled for his deputation allowance as per the Government Rules to which the learned counsel for the petitioner objects that unless a specific order is given that how much amount is to be paid as deputation allowance, nobody is going to decide the case of the petitioner and the petitioner will be made run from pillar to post and ultimately he will not get deputation allowance.

Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, respondent No.2 is directed to issue orders for deputation allowance and also the period for which the petitioner has been sent on deputation.

Accordingly, the writ petition stands disposed of.

Consequently, M.(W.)P. No. 2899/2003 and I.A.No.9349/2003 also stand disposed of.

Parties are entitled for certified copy of this order.

Sd/-
L.C.BHADOO
Judge

Bariej

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